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FOR IMMEDIATE RELEASE CONTACT: U.S. ATTORNEY'S OFFICE

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**COLUMBIA UNIVERSITY AGREES TO SETTLE CIVIL CHARGES THAT
IT VIOLATED THE CLEAN AIR ACT**

MICHAEL J. GARCIA, the United States Attorney for the Southern District of New York, announced today that COLUMBIA UNIVERSITY has agreed to pay \$135,754 to resolve a civil lawsuit alleging that it violated the Clean Air Act by failing to comply with fuel sampling and reporting requirements and by engaging in opacity (pollution) emission violations. A settlement agreement signed by the parties was approved today by United States District Judge STEPHEN C. ROBINSON.

Pursuant to the Clean Air Act, the United States Environmental Protection Agency promulgated New Source Performance Standards, which includes a standard applicable to small institutional steam generator units and requires owners or operators of such units to comply with important reporting and pollution-control requirements.

According to the Government's complaint, COLUMBIA UNIVERSITY owns, operates, controls, and administers a central steam plant which produces steam for space heating and domestic hot water. The steam plant operates four package boilers, one of which is subject to the requirements contained in the New Source Performance Standards. The complaint alleged that during a portion of the period between 1998 and 2003, COLUMBIA UNIVERSITY violated the New Source Performance Standards by (i) failing to determine properly that the applicable boiler was not burning fuel with greater than the allowed sulfur content; and (ii) failing to measure the sulfur content of the fuel in the applicable boiler on a daily basis. Among other things, the complaint further alleged that during the period between August 2000 and August 2002, the applicable boiler impermissibly exceeded the opacity (pollution) limit set by the New Source Performance Standards.

COLUMBIA UNIVERSITY agreed to pay the Government \$135,754.00 to settle the charges outlined in the complaint. In agreeing to

the settlement, COLUMBIA UNIVERSITY did not admit any wrongdoing or liability. Because COLUMBIA UNIVERSITY brought the applicable boiler into compliance with the New Source Performance Standards as of January 1, 2003, the Government's settlement with COLUMBIA UNIVERSITY sought only monetary penalties and no injunctive relief.

Mr. GARCIA stated: "This settlement demonstrates the Government's commitment to ensuring that all entities, including educational and other not-for-profit institutions, comply with the federal environmental laws."

Mr. GARCIA praised the investigative efforts and assistance provided in the case by the Environmental Protection Agency.

Assistant United States Attorneys DANNA DRORI and EDWARD SCARVALONE are in charge of the case.

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